



Docket No.: HO-P01615US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nicholas Bachynsky et al.

Application No.: 09/744,622

Filed: July 27, 1999

Art Unit: 1614

For: CHEMICALLY INDUCED
INTRACELLULAR HYPERTHERMIA

Examiner: L. A. Royds

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

05/02/2006 NNGUYEN1 00000067 09744622

02 FC:1006

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Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee (37 CFR 1.97(d)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered.

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other

material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P01615US1.

Dated: April 28, 2006

Respectfully submitted,

By 

Melissa W. Acosta

Registration No.: 45,872

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Fulbright Tower

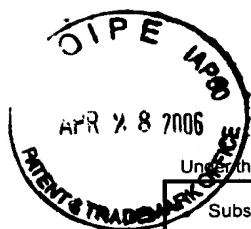
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PTO/SB/08A (10-01)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet	1	of	2
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Complete if Known

Application Number	09/744,622
Filing Date	July 27, 1999
First Named Inventor	Nicholas Bachynsky
Art Unit	1614
Examiner Name	L. A. Royds
Attorney Docket Number	HO-P01615US1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	US-4,337,760	07-06-1982	Rubin	
	A2	US-4,481,195	11-06-1984	Rubin	
	A3	US-4,555,397	11-26-1985	Bachynsky	
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	A9	US-5,340,803	08-23-1994	Rubin	
	A10	US-5,391,142	02-21-1995	Sites et al.	
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	A13	US-5,622,686	04-22-1997	Gordon et al.	
	A14	US-5,639,737	06-17-1997	Rubin	
	A15	US-5,674,190	10-07-1997	Kelly	
	A16	US-5,760,008	06-02-1998	Rubin	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	B1	AU-750313	07-18-2002	Bachynsky et al.		
	B2	WO-97/35540	10-02-1997	Schick		

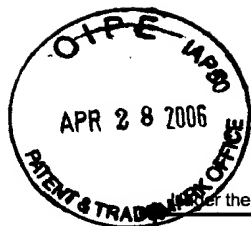
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	Bertino et al., "Principles of Cancer Therapy," In: <i>Cecilin Textbook of Medicine</i> , Goldman and Bennett, eds., 21st Edition, Volume 1, 1060-1074, 2000.	
	C2	Chaudhri et al., "Comparative Efficacy of Oxytocin and Albendazole Against Natural Infection of Fasciola Gigantica in Buffaloes," <i>Indian Veterinary Journal</i> , 67(10): 976-979, 1990.	
	C3	Chun et al., "Mucormycosis," In: <i>Cecilin Textbook of Medicine</i> , Goldman and Bennett, eds., 21st Edition, Volume 1, 1883-1885, 2000.	
	C4	Database WPI, ZA 9 208 419 A, Derwent Publications Ltd., London, GB, 1994 [abstract].	
	C5	Description of 2,4-Dinitrophenol, The Marck Index: An Encyclopedia of Chemicals, Drugs, and Biologicals, 11th Edition, Budavari et al., eds., 1989.	
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Examiner Signature	Date Considered
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				Art Unit	1614
				Examiner Name	L. A. Royds
Sheet	2	of	2	Attorney Docket Number	HO-P01615US1

		Volume 1, 1867-1870, 2000.	
C9		Dismukes, "Histoplasmosis," In: <i>Ceclin Textbook of Medicine</i> , Goldman and Bennett, eds., 21st Edition, Volume 1, 1860-1862, 2000.	
C10		Dismukes, "Introduction to the Mycoses," In: <i>Ceclin Textbook of Medicine</i> , Goldman and Bennett, eds., 21st Edition, Volume 1, 1858-1860, 2000.	
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C13		Emge et al., "Effects of Dinitrophenol on an Experimental Sarcoma of the White Rat," <i>Proc. Soc. Exper. Biol. Med.</i> , 31: 152-154, 1933.	
C14		Feinberg, "Pneumocystis Carinii Pneumonia," In: <i>Ceclin Textbook of Medicine</i> , Goldman and Bennett, eds., 21st Edition, Volume 1, 1877-1883.	
C15		Galgiani, "Coccidioidomycosis," In: <i>Ceclin Textbook of Medicine</i> , Goldman and Bennett, eds., 21st Edition, Volume 1, 1863-1864, 2000.	
C16		Ghosh et al., "Post-Metaphase Mitotic Events in Cells Treated with Dinitrophenol," <i>Indian Journal of Experimental Biology</i> , 27(4): 317-323, 1989.	
C17		Karchmer, "Antibacterial Therapy," In: <i>Ceclin Textbook of Medicine</i> , Goldman and Bennett, eds., 21st Edition, Volume 1, 1591-1603, 2000.	
C18		Kumar, "Melatonin: a master hormone and a candidate for universal panacea," <i>Indian Journal of Experimental Biology</i> , 34(5): 391-402, 1996.	
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C20		Nozue et al., "Effect of Some Enzyme Inhibitors on ATP Level and Hypersensitive Reactivity of Potato Tuber Disks to Incompatible Race of Phytophthora Infestans," <i>Nippon Shokubutsu Byori Gakkaiho - Annals of the Phytopathological Society of Japan</i> , 46(1): 34-39, 1980.	
C21		Oda et al., "The Effect of Induced Hyperthermia on Kidney Function in Dogs," <i>Japanese Journal of Anesthesiology</i> , 35(9): 1374-1379, 1986.	
C22		Oka et al., "Immunosuppression in organ transplantation," <i>Japanese Journal of Pharmacology</i> , 71(2): 89-100, 1996.	
C23		Rickels et al., "The clinical presentation of generalized anxiety in primary-care settings: practical concepts of classification and management," <i>J. Clin. Psychiatry</i> , 58(Suppl. 11): 4-10, 1997.	
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C26		Smith et al., "Hormone replacement therapy in the menopause: a pro opinion," <i>CA Cancer J. Clin.</i> , 46(6): 343-63, 1996.	
C27		Sri-Pathmanathan et al., "Cisplatin Alters the Energy Metabolism and Inhibits the Growth Rate of a Human Lung-Cancer Cell Line In Vitro and In Vivo," <i>International Journal of Cancer</i> , 56(6): 900-905, 1994.	
C28		Stevens, "Aspergillosis," In: <i>Ceclin Textbook of Medicine</i> , Goldman and Bennett, eds., 21st Edition, Volume 1, 1875-1883, 2000.	

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